



Entered on Docket
June 11, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

SIDHU LAW FIRM, LLC
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 384-4436 Fax: (702) 384-4437

Ambrish S. Sidhu, Esq. (Nevada Bar No. 7516)
SIDHU LAW FIRM, LLC
810 S. Casino Center Blvd., Suite 104
Las Vegas, NV 89101
Tel: (702) 384-4436 E-Mail: asidhu@sidhulawfirm.com

Robert N. H. Christmas, Esq. (Pro Hac Vice Pending)
NIXON PEABODY, LLP
437 Madison Ave.
New York, New York 10022
Tel: (212) 940-3000

Attorneys for Temecula Public Finance Authority

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

USA CAPITAL FIRST TRUST DEED FUND,
LLC,
Debtor.

USA SECURITIES, LLC,
Debtor.

Case Nos.
BK-S-06-10725-lbr
BK-S-06-10726-lbr
BK-S-06-10727-lbr
BK-S-06-10728-lbr
BK-S-06-10729-lbr

Jointly Administered
Chapter 11 Cases

Date: May 18, 2009
Time: 9:30 a.m.
Place: Courtroom 1
Foley Federal Building
300 Las Vegas Blvd., South
Las Vegas, Nevada

Affects:

All Debtors
☒ USA Commercial Mortgage Company
USA Capital Realty Advisors, LLC
USA Capital Diversified Trust Deed Fund, LLC
USA Capital First Trust Deed Fund, LLC
USA Securities, LLC

**ORDER ON MOTION TO DETERMINE THAT THE AUTOMATIC STAY
DOES NOT APPLY WITH RESPECT TO CERTAIN PROPERTY OR,
ALTERNATIVELY, TO TERMINATE THE AUTOMATIC STAY**

The motion by the Temecula Public Finance Authority (the "Authority") to Determine that the Automatic Stay Does Not Apply with Respect to Certain Property or, Alternatively, to Terminate the Automatic Stay (the "Motion") came before this Court on May 18, 2009; all appearances for the parties were noted on the record; and upon review of the papers and pleadings on file in this matter, the arguments of counsel and good cause appearing, and

The Court having determined that the automatic stay imposed by 11 U.S.C. § 362(a) has no continued applicability in this case, because confirmation of the Plan revested property of the estate in the reorganized debtor or its successor within the meaning of 11 U.S.C. § 362(c)(1), and the confirmation order in this case is the functional equivalent of a discharge within the meaning of 11 U.S.C. § 362(c)(2)(C); therefore,

IT IS HEREBY ORDERED that the Authority's Motion is GRANTED, to the extent that this Court hereby determines that the automatic stay imposed by 11 U.S.C. § 362(a) does not apply to the Temecula Property (as defined in the Motion).

IT IS SO ORDERED.

SIDHU LAW FIRM, LLC
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 384-4436 Fax: (702) 384-4437

1
2 PREPARED AND SUBMITTED BY:

3 SIDHU LAW FIRM, LLC
4

5
6 By: 

Ambrish S. Sidhu, Esq.
Nevada Bar No. 7516
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
*Attorneys for Temecula Public Finance
Authority*

10
11 LEWIS AND ROCA, LLP
12

13
14 By: 

Rob Charles, Jr., Esq.
LEWIS AND ROCA, LLP
3993 Howard Hughes Pkwy., #600
Las Vegas, NV 89169
Attorneys for USACM Liquidating Trust

SIDHU LAW FIRM, LLC
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 384-4436 Fax: (702) 384-4437

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below:

NAME	DATE CONTACTED	AGREE	DISAGREE
Rob Charles, Jr., Esq.	<u>06-02-09</u>	<u>X</u>	<u> </u>

###

SIDHU LAW FIRM, LLC
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 384-4436 Fax: (702) 384-4437